UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/43
9 February 1995

Forty-ninth session
Agenda item 148

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/49/630)]

49/43. The situation in the occupied territories of Croatia

The General Assembly,

Reaffirming the relevant principles of the Charter of the United Nations and, in particular, the principle of inadmissibility of the acquisition of territory through the use of force,

Stressing the importance of efforts to restore peace in the entire territory of the Republic of Croatia as well as to preserve its territorial integrity within the internationally recognized borders, and emphasizing in this regard that the territories comprising the United Nations Protected Areas are integral parts of the territory of the Republic of Croatia,

Alarmed and concerned by the fact that the ongoing situation in the Serbian-controlled parts of Croatia is de facto allowing and promoting a state of occupation of parts of the sovereign Croatian territory, and thus seriously jeopardizing the sovereignty and territorial integrity of the Republic of Croatia,

Rejecting the odious policies and practices of ethnic cleansing and their consequences, and all other violations of international humanitarian law,

Emphasizing that the Serbian-controlled territories of Croatia must be peacefully reintegrated into the rest of the country, under the close supervision of the international community,

Stressing the importance of the mutual recognition of the international borders by all States in the region of the former Yugoslavia, and recalling all relevant Security Council resolutions on this matter,

1. Expresses its commitment to ensure respect for the sovereignty and territorial integrity of the Republic of Croatia;

2. Calls upon all parties and, in particular, the Federal Republic of Yugoslavia (Serbia and Montenegro), to comply fully with all Security Council resolutions regarding the situation in Croatia, and to respect strictly its territorial integrity, and in this regard concludes that their activities aimed at achieving the integration of the occupied territories of Croatia into the administrative, military, educational, transportation and communication systems of the Federal Republic of Yugoslavia (Serbia and Montenegro) are illegal, null and void, and must cease immediately;

3. Requests the Federal Republic of Yugoslavia (Serbia and Montenegro) to cease immediately any military and logistic support to the self-proclaimed authorities in the Serbian-controlled parts of Croatia;

4. Strongly condemns the Serbian self-proclaimed authorities in the Serbian-controlled territories of Croatia for their militant actions that have resulted in ethnic cleansing of the United Nations Protected Areas, and for their constant refusal to comply with the relevant Security Council resolutions;

5. Reaffirms its support for the principle that all statements or commitments in the Serbian-controlled parts of Croatia made under duress, particularly those regarding land and property, are wholly null and void;

6. Reaffirms the right of all refugees and displaced persons from the area of the former Yugoslavia to return voluntarily to their homes safely and with dignity, with the assistance of the international community, and in this regard notes that the 1991 census is the basis for defining the population structure of the Republic of Croatia;

7. Urges the restoration of the authority of the Republic of Croatia in its entire territory and urges also the utmost respect for human and minority rights in the territory of Croatia, including the right to autonomy in accordance with the Constitution of the Republic of Croatia and established international standards, and for efforts to achieve a political solution within the framework of the International Conference on the Former Yugoslavia;

8. Calls for mutual recognition between the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) within their existing internationally recognized borders;

9. Commends the persistent efforts of the United Nations Protection Force in performing its duties in the territory of the Republic of Croatia, and in this regard emphasizes the importance of its role for the overall peace process and for the success of the peaceful reintegration of Serbian-controlled territories of Croatia;

10. Also calls for full respect of the cease-fire agreements in the territory of Croatia, and urges the resumption of direct negotiations in close cooperation with the International Conference on the Former Yugoslavia;

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11. Requests the Secretary-General to submit to the General Assembly at its fiftieth session a comprehensive report on the implementation of the present resolution.

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UNITED NATIONS **A**

General Assembly

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A/RES/49/44
9 February 1995

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Agenda item 18

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/49/615)]

49/44. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 48/49 of 10 December 1993,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to the proposals of the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

Recalling further Security Council resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991 and 809 (1993) of 2 March 1993 relating to the question of Western Sahara,

Recalling with satisfaction the entry into force of the cease-fire in Western Sahara on 6 September 1991, in accordance with the proposal of the Secretary-General accepted by the two parties,

Noting the adoption by the Security Council on 29 March 1994 of resolution 907 (1994),

Taking note of the statement by the President of the Security Council on 29 July 1994, 1/

Welcoming the appointment of Mr. Erik Jensen as Deputy Special Representative of the Secretary-General for Western Sahara and the progress made, under his leadership, by the Identification Commission of the United Nations Mission for the Referendum in Western Sahara,

Stressing the importance and usefulness of the resumption of direct talks between the two parties mentioned above in order to create a propitious atmosphere conducive to a speedy and effective implementation of the settlement plan,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2/

Having also examined the report of the Secretary-General, 3/

1. Takes note with appreciation of the report of the Secretary-General;

2. Pays tribute to the Secretary-General and the personnel of the United Nations Mission for the Referendum in Western Sahara for their action with a view to settling the question of Western Sahara by the implementation of the settlement plan;

3. Reiterates its support for further efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in conformity with Security Council resolutions 658 (1990) and 690 (1991), in which the Council adopted the settlement plan for Western Sahara;

4. Reaffirms that the goal on which all were agreed consists of the holding of a free, fair and impartial referendum for the people of Western Sahara, organized and conducted by the United Nations in cooperation with the Organization of African Unity and without any military or administrative constraints, in conformity with the settlement plan;

1/ S/PRST/1994/39.

2/ A/49/23 (Part V), chap. VIII.

3/ A/49/492.

5. Endorses the contents of the statement of 29 July 1994 by the President of the Security Council in which the Council, inter alia, welcomed the progress made to date on the issues outlined in the report of the Secretary-General 4/ towards the implementation of the settlement plan, commended, in particular, the work of the Identification Commission and the efforts of the Deputy Special Representative of the Secretary-General pursuant to resolution 907 (1994) and urged the two parties to continue to cooperate with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara to ensure the earliest possible implementation of the settlement plan;

6. Expresses the hope that direct talks between the two parties will soon resume in order to create a propitious atmosphere conducive to a speedy and effective implementation of the settlement plan;

7. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the ongoing referendum process and to report thereon to the General Assembly at its fiftieth session;

8. Invites the Secretary-General to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution.

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4/ S/1994/819.

UNITED NATIONS **A**

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A/RES/49/45
9 February 1995

Forty-ninth session
Agenda item 18

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/49/615)]

49/45. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia, 1/

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) and 1541 (XV) of 14 and 15 December 1960, respectively,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

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1/ A/49/23 (Part V), chap. VIII.

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Welcoming the strengthening of the Matignon Accords review process through the increased frequency of coordination meetings,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. Urges all the parties involved, in the interest of all the people of New Caledonia and building on the positive outcome of the mid-term review of the Matignon Accords, to maintain their dialogue in a spirit of harmony;

2. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Matignon Accords, which are based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

3. Welcomes measures which have been taken to strengthen and diversify the New Caledonian economy in all fields, including the commissioning of the new nickel mine by the Société métallurgique de nickel at Kopeto and the establishment of new aquaculture projects, and encourages further such measures in accordance with the spirit of the Matignon Accords;

4. Also welcomes the importance attached by the parties to the Matignon Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

5. Acknowledges the contribution of the Melanesian cultural centre to the protection of the indigenous culture of New Caledonia;

6. Notes the positive initiatives aimed at protecting New Caledonia's natural environment, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

7. Acknowledges the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and provincial authorities to facilitate the further development of those links, including the development of closer relations with the member countries of the South Pacific Forum;

8. Welcomes in particular, in this regard, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to member countries of the South Pacific Forum;

9. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoplesto continue the examination of this question at its next session and to report thereon to the General Assembly at its fiftieth session.

83rd plenary meeting
9 December 1994

UNITED NATIONS **A**

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A/RES/49/46
9 February 1995

Forty-ninth session
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RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/49/615)]

49/46. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands

A

GENERAL

The General Assembly,

Having considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, those resolutions adopted by the

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1/ A/49/23 (Part VI), chap. IX.

General Assembly at its forty-eighth session on the individual Territories covered by the present resolution,

Recalling also its resolution 1541 (XV) of 15 December 1960, containing the principles which should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of those Territories, in view of the target set by the United Nations to eradicate colonialism by the year 2000,

Noting the decision of the United Kingdom of Great Britain and Northern Ireland as administering Power to effect a policy change aimed at enhancing its relations with its Caribbean dependent Territories,

Noting with satisfaction the participation of New Zealand in the work of the Special Committee,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind deliberations in all related international conferences including the United Nations Conference on Environment and Development, at which Agenda 21 2/ was adopted, the World Conference on Natural Disaster Reduction and the Global Conference on the Sustainable Development of Small Island Developing States,

Aware also of the usefulness both to the Territories and to the Special Committee of the participation of representatives of the Non-Self-Governing Territories in the work of the Special Committee,

Expressing its conviction that referendums and other forms of popular consultation on the future status of the Non-Self-Governing Territories are an appropriate means of ascertaining the wishes of the peoples in those Territories with regard to their future political status,

Mindful that United Nations visiting missions provide the most effective means of ascertaining the situation in the Non-Self-Governing Territories, and considering that the possibility of sending further visiting missions to those Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United

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2/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1)) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex II.

Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

Bearing in mind the fragile economy of the small Territories and their vulnerability to natural disasters and environmental degradation, and recalling its resolutions and the report of the Pacific Regional Seminar to Review the Political, Economic and Social Conditions in the Small Island Non-Self-Governing Territories, 3/ held at Port Moresby from 8 to 10 June 1993, in connection with the plan of action of the International Decade for the Eradication of Colonialism, 4/ as well as the position taken by the territorial Governments, contained in the report of the Seminar,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands;

2. Reaffirms the inalienable right of the people of those Territories to self-determination and independence in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. Reaffirms also that it is ultimately for the people of those Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and, in that connection, calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in resolution 1541 (XV);

4. Reiterates that it is the responsibility of the administering Powers to create such conditions in the Territories as will enable their people to exercise freely and without interference their inalienable right to self-determination and independence;

5. Calls upon the United Kingdom of Great Britain and Northern Ireland, as an administering Power, to give due consideration to any proposals made by the Territories under its administration in the framework of its review of policy and management of its Caribbean dependent Territories, as well as of any future policy changes affecting them;

6. Requests the administering Powers to encourage and facilitate the participation of elected representatives of the Non-Self-Governing Territories under their administration and other appropriate authorities or personalities

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3/ A/AC.109/1159.

4/ A/46/634/Rev.1.

duly mandated by those representatives in the work of the Special Committee and its Subcommittee on Small Territories, Petitions, Information and Assistance, as well as in the work of its seminars;

7. Reiterates the view that factors such as territorial size, geographical location, size of population and limited natural resources should in no way serve as a pretext to delay the speedy exercise by the peoples of those Territories of their inalienable right to self-determination;

8. Reaffirms the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of those Territories, and recommends that priority should continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

9. Urges the administering Powers, in cooperation with the territorial Governments concerned, to take or continue to take effective measures to safeguard and guarantee the inalienable right of the peoples of those Territories to own, develop or dispose of the natural resources of those Territories, including marine resources, and to establish and maintain control over the future development of those resources;

10. Also urges the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions;

11. Calls upon the administering Powers, in cooperation with the respective territorial Governments, to continue to take all necessary measures to counter problems related to drug trafficking, money laundering and other offences;

12. Urges the administering Powers to foster or continue to foster close relations between the Territories and other island communities in their respective regions and to promote cooperation between the respective territorial Governments and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

13. Also urges the administering Powers to cooperate or continue to cooperate with the Special Committee in its work by providing timely and up-to-date information for each Territory under their administration, in accordance with Article 73 e of the Charter, and by facilitating the dispatch of visiting missions to secure firsthand information thereon and to ascertain the wishes and aspirations of the inhabitants;

14. Appeals to the administering Powers to continue or to resume their participation in future meetings and activities of the Special Committee and to ensure the participation in the work of the Special Committee of representatives of the Non-Self-Governing Territories;

15. Urges Member States to contribute to the efforts of the United Nations to achieve the eradication of colonialism by the year 2000, and calls upon them to continue to give their full support to the action of the Special Committee towards the attainment of that objective;

16. Invites the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of the Territories;

17. Requests the specialized agencies and other organizations of the United Nations system, in formulating their assistance programmes, to take due account of the text entitled "Challenges and opportunities: a strategic framework", which was adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations; 5/

18. Requests the Special Committee to continue the examination of the question of the small Territories and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence, and to report thereon to the Assembly at its fiftieth session.

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B

INDIVIDUAL TERRITORIES

I. American Samoa

The General Assembly,

Referring to resolution A above,

Noting that efforts in American Samoa are currently aimed at increasing the production of food crops for local consumption,

Noting also the efforts of the Governor to reduce government spending and the Territory's budget deficit,

Noting further that American Samoa is one of two Territories of the United States of America in which employers are allowed to pay workers less than the mainland minimum wage to ensure compatibility with the prevailing cost of living,

Noting that the Territory, similar to isolated communities with limited funds, continues to experience a shortage of qualified medical personnel,

Aware that one third of the population is dependent on village-based water systems which often lack basic sanitary conditions,

Recalling the dispatch in 1981 of a United Nations visiting mission to the Territory,

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5/ A/CONF.147/5-TD/B/AC.46/4, chap. II.

1. Calls upon the administering Power, in cooperation with the territorial Government, to continue to promote the economic and social development of the Territory in order to alleviate its financial problems;

2. Also calls upon the administering Power, in cooperation with relevant regional and international institutions, to assist the Territory in increasing its agricultural output;

3. Urges the administering Power, in cooperation with the territorial Government, to ensure that salaries paid to employees are on a par with the cost of living in the Territory;

4. Requests the administering Power, in cooperation with the territorial Government, to continue its efforts to assist in alleviating the shortage of medical personnel in the Territory;

5. Also requests the administering Power, in cooperation with the territorial Government, to continue to extend adequate water services with appropriate sanitary conditions to the whole population of the Territory and, in this framework, to study the feasibility of making the Government's central water system available to all;

6. Notes that a period of thirteen years has elapsed since a United Nations mission visited the Territory and again calls upon the administering Power to facilitate such a mission as early as possible.

II. Anguilla

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 6/

Aware that the educational system in Anguilla is facing severe problems, including overcrowding and insufficient equipment and supplies in the schools, as well as a high percentage of undertrained teachers and the loss of teachers to the private sector and to other parts of the civil service,

Aware also of the inability of the educational system in Anguilla to alleviate the problem of scarcity of skilled national personnel, particularly in the fields of economic management and tourism, and that educational reform is of paramount importance to the achievement of the long-term economic goals of the Territory,

Noting that the Government is placing great emphasis on manpower development and training,

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6/ A/C.4/49/SR.5.

Noting also that the Government's Public Sector Investment Programme for 1991-1995 is expected to be financed by external donors through grants and concessional loans,

Aware that the exploitation of deep-sea resources would help reduce the risk of depleting the Territory's own fishing resources as a result of overfishing,

Recalling the dispatch of a United Nations visiting mission to the Territory in 1984,

1. Requests the administering Power, in considering, adopting and/or implementing policy decisions likely to affect its dependent Territories, to continue to grant the highest attention to the interests, needs and wishes of the territorial Government and the people of Anguilla;

2. Calls upon national, regional and international institutions specializing in the field of education to grant Anguilla funds and equipment and to make available to the Territory teacher-training courses, to enable it to overcome its educational problems;

3. Calls upon all countries, institutions and organizations endowed with expertise in manpower training to grant Anguilla assistance in this field;

4. Invites the international donor community to contribute generously to the Government's Public Sector Investment Programme for 1991-1995 and to grant the Territory all possible assistance to enable it to reach the main development objectives established by the Executive Council of the Territory;

5. Requests all countries and organizations with deep-sea fishing experience to facilitate the acquisition by the fishing sector of the Territory of larger boats and fishing equipment and to provide the Territory's fishermen with deep-sea fishing training programmes;

6. Notes that a period of ten years has elapsed since a United Nations mission visited Anguilla and again calls upon the administering Power to facilitate the dispatch of such a mission as early as possible.

III. Bermuda

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 6/

Bearing in mind the general elections held in the Territory in November 1993 and the proposed referendum on Bermuda's independence to be held in 1994,

Noting the negative effects of the international recession on the economy of Bermuda,

Noting also the recent review of the criminal justice system in the Territory,

Noting with concern the incidence of crime in the secondary schools, and noting also the planned restructuring of the public school system,

Expressing the view that the removal of military bases and installations from the Territory could expedite the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Noting that the Territory has never been visited by a United Nations visiting mission,

1. Expresses the view that the referendum on the future status of Bermuda is an appropriate means for the people of the Territory to decide their own future;

2. Notes with satisfaction that the economy of the Territory has begun to recover and that the territorial Government continues to place emphasis on the general good management of the economy of Bermuda;

3. Calls upon the administering Power to ensure that the criminal justice system is fair to all inhabitants of the Territory;

4. Notes the plans of the territorial Government to restructure the entire educational system with a view to facilitating wider access to higher education and to training more Bermudian students in the skills required to satisfy the employment needs of the Territory;

5. Notes also the decision by Canada, the United Kingdom of Great Britain and Northern Ireland and the United States of America to close their respective military bases in Bermuda in 1995;

6. Again calls upon the administering Power to facilitate the dispatch of a United Nations visiting mission to the Territory as early as possible.

IV. British Virgin Islands

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 6/

Noting the request of the Territory for a review of its Constitution, and noting also the appointment by the administering Power of the Constitutional Review Commission,

Also noting the measures taken by the territorial Government to develop the agricultural, industrial, educational and communications sectors,

Further noting the desire of the Territory for membership in the Food and Agriculture Organization of the United Nations and other regional and international organizations,

Noting that the Territory's unmet manpower requirements continue to be a critical constraint to its economic growth,

Recognizing the measures being taken by the territorial Government to prevent drug trafficking and money laundering,

1. Requests the administering Power to take into account the wishes and interests of the Government and the people of the Territory in connection with the constitutional review;

2. Also requests the administering Power and all financial institutions to continue to provide assistance to the Territory in order to enable it to mitigate the effects of the international economic recession and to pursue its development programmes;

3. Reiterates its call upon the administering Power to facilitate the admission of the Territory to associate membership in the Food and Agriculture Organization of the United Nations, as well as its participation in other regional and international organizations;

4. Calls upon the United Nations Development Programme to continue its technical assistance to the British Virgin Islands, bearing in mind the vulnerability of the Territory to external economic factors and the scarcity of skilled workers in the Territory;

5. Calls upon all countries and organizations with expertise in the development of skilled labour to assist the territorial Government in every possible way in the implementation of its educational and manpower training programmes;

6. Notes with satisfaction the measures being taken by the territorial Government to prevent drug trafficking and money laundering, and urges the administering Power to continue its assistance to the Territory in those endeavours;

7. Notes that a period of eighteen years has elapsed since a United Nations mission visited the Territory and again calls upon the administering Power to facilitate the dispatch of such a mission as early as possible.

V. Cayman Islands

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 6/

Noting that an amended Constitution was brought into force in the Cayman Islands on 1 February 1994,

Aware of the economic priorities established by the territorial Government,

Noting that there is an urgent need for the training of nationals in the technical, vocational, managerial and professional fields,

Noting also the actions taken by the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting further the Territory's dependence on imported agricultural products,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting with satisfaction the efforts of the territorial Government, the Governments of other countries of the region and the administering Power to prevent and repress illicit activities such as money laundering, funds smuggling, false invoicing and other related frauds, as well as the use of and trafficking in illegal drugs,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Requests the administering Power to provide the territorial Government with all required expertise to enable it to achieve its economic aims;

2. Urges the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

3. Calls upon the administering Power, in consultation with the territorial Government, to continue to promote the agricultural development of the Cayman Islands;

4. Requests the specialized agencies and other organizations of the United Nations system to continue and increase their programmes of assistance to the Territory with a view to strengthening, developing and diversifying its economy;

5. Also calls upon the administering Power, in cooperation with the territorial Government, to continue to take all necessary measures to counter problems related to money laundering, funds smuggling and other related crimes, as well as drug trafficking;

6. Notes that a period of seventeen years has elapsed since a United Nations mission visited the Territory and again calls upon the administering Power to facilitate the dispatch of such a mission as early as possible.

VI. Guam

The General Assembly,

Referring to resolution A above,

Recalling that in a referendum held in 1987, the people of Guam endorsed a draft Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing internal self-government for Guam and recognition of the right of the indigenous Chamorro people to self-determination for the Territory,

Aware of the continued negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act and on the future status of the Territory, with particular emphasis on the questions of the evolution of the relationship between the United States of America and Guam, self-determination of the Chamorro people and participation of Guam in international organizations,

Noting the appointment on 3 November 1993 by the administering Power of a Special Representative for Guam Commonwealth Issues,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for a reform in the programme of the administering Power with respect to the thorough and expeditious transfer of property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Noting with concern the escalating crime rate in the Territory,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power to continue to conduct expeditiously its negotiations with the territorial Government on the draft Guam Commonwealth Act and on the future status of the Territory;

2. Expresses the hope that the appointment by the administering Power of a Special Representative for Guam Commonwealth Issues will facilitate the ongoing discussions on the political status of Guam;

3. Requests the administering Power, in cooperation with the territorial Government, to continue to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

4. Also requests the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people and to take all necessary measures to respond to the concerns of the territorial Government with regard to the immigration issue;

5. Further requests the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture and other viable activities;

6. Urges the administering Power to continue to assist the territorial Government in crime prevention;

7. Notes that a period of fifteen years has elapsed since the last United Nations mission visited the Territory and again calls upon the administering Power to facilitate the dispatch of such a mission as early as possible.

VII. Montserrat

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 6/

Noting the position of the territorial Government that while independence is both desirable and inevitable, it should be preceded by economic and financial viability sufficient to sustain Montserrat as an independent State,

Expressing concern at the high incidence of drug trafficking and money laundering in the Territory,

Taking into account the membership of Montserrat in regional and international bodies and the outstanding request of the Territory for readmission to associate membership in the United Nations Educational, Scientific and Cultural Organization,

Aware of the territorial Government's policy to continue to train and develop local human resources,

Aware also of the territorial Government's policy to achieve optimal self-sufficiency in food production within five years,

Recalling that the last United Nations Visiting Mission to the Territory took place in 1982,

1. Requests the administering Power to work towards promoting the economic and social development of the Territory with a view to its attaining self-determination and independence;

2. Notes the expressed preference of the territorial Government for independence within a political union with the Organization of Eastern Caribbean States;

3. Requests the administering Power and competent regional and international organizations, as well as countries in a position to do so, to grant the Government of Montserrat every assistance it requires to achieve its stated goal of improving the efficiency and productivity of the public service through training at all levels;

4. Reiterates its call upon the administering Power, in cooperation with the territorial Government, to take, as a matter of urgency, the

necessary steps to facilitate the readmission of Montserrat as an associate member of the United Nations Educational, Scientific and Cultural Organization;

5. Urges the specialized agencies and other organizations of the United Nations system, as well as regional and other multilateral financial institutions, to continue to expand their assistance to the Territory in the strengthening, development and diversification of the economy of Montserrat in accordance with its medium-term and long-term development plans;

6. Urges the administering Power to continue its assistance to the Territory in the prevention of drug trafficking and money laundering;

7. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory and calls upon the administering Power to facilitate the dispatch of a visiting mission to Montserrat as early as possible.

VIII. Turks and Caicos Islands

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 6/

Noting recent changes to the Constitution of the Territory and the intention of the territorial Government to continue to campaign for further constitutional changes,

Noting also the different views expressed by the elected representatives of the Turks and Caicos Islands on the question of the future status of the Territory,

Aware of the decision of the administering Power to implement a policy change aimed at establishing better dialogue, coordination and cooperation between itself and its Caribbean dependent Territories,

Noting the emergency measures taken by the territorial Government to cut the budget deficit and government spending,

Noting also the commitment of the territorial Government to reform the public service to achieve greater efficiency and to implement its policy of localization of employment,

Noting further the territorial Government's expressed need for development assistance to achieve its stated goal of economic independence by the year 1996,

Noting the territorial Government's decision to establish an investment bank in order to attract substantial investments world wide for much-needed projects,

Noting also that 90 per cent of the food consumed in the Territory is imported and that the Government has exerted efforts to improve the agriculture and fisheries sectors,

Aware of the efforts of the territorial Government to develop a management plan to control all marine resources exploitation,

Aware also of the tourism policy of the territorial Government to establish national standards for the tourism industry,

Noting the number of unqualified teachers and the number of expatriate staff in the educational system of the Territory,

Noting with interest the statement made and the information on the overall political, economic and social situation in the Turks and Caicos Islands, provided in March 1993 by an elected member of the Territory's Legislative Council to the Subcommittee on Small Territories, Petitions, Information and Assistance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

1. Reiterates that it is ultimately for the people of the Territory themselves to determine their own future through the exercise of their right to self-determination and independence;

2. Invites the administering Power, in implementing policy changes concerning its dependent Territories, to continue to take fully into account the wishes and interests of the Government and people of the Turks and Caicos Islands;

3. Calls upon the territorial Government to continue to promote alternative employment opportunities for those civil servants whose employment will be terminated as a result of the public service reform and the planned reduction of employees in the service;

4. Also calls upon the territorial Government to initiate a comprehensive training programme to ensure that the employment of expatriates in the Territory's labour force is not prejudicial to the recruitment of suitably qualified and available islanders;

5. Calls upon the specialized agencies and other institutions of the United Nations system to explore concrete ways of assisting the Turks and Caicos Government to reach its stated goal of achieving economic independence by 1996;

6. Notes with satisfaction the increase in aid, particularly financial assistance, granted to the territorial Government by the Government of the United Kingdom of Great Britain and Northern Ireland, and invites the latter to maintain this level of assistance;

7. Calls upon all national, regional, interregional and international financial institutions, including the International Monetary Fund and the World Bank, to take all necessary steps to assist the Government of the Turks and Caicos Islands in the establishment and/or operation of its investment bank;

8. Urges the administering Power and the relevant regional and international organizations to assist the territorial Government in increasing the efficiency of the agricultural and fisheries sectors;

9. Also urges the administering Power and the relevant regional and international organizations to support the efforts of the territorial Government to address the problem of environmental pollution and degradation;

10. Calls upon all countries and organizations with experience in the training of teachers to extend generous assistance to the Territory in this field, with particular emphasis on the training of its nationals;

11. Draws the attention of the administering Power to the statement made and the information on the political, economic and social situation in the Territory, provided in March 1993 by an elected member of the Territory's Legislative Council to the Subcommittee on Small Territories, Petitions, Information and Assistance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples ;

12. Notes that a period of fourteen years has elapsed since a United Nations mission visited the Territory and again calls upon the administering Power to facilitate the dispatch of such a mission as early as possible.

IX. United States Virgin Islands

The General Assembly,

Referring to resolution A above,

Bearing in mind the results of the referendum on political status of the Territory held on 11 October 1993,

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community and its inability, for financial reasons, to participate in the Food and Agriculture Organization of the United Nations and the World Health Organization,

Aware of serious fiscal problems of the territorial Government and of the measures it is implementing to decrease the budget deficit,

Noting the necessity of further diversifying the Territory's economy,

Noting also that the question of the transfer of Water Island to the Territory is still under consideration,

Noting further that in 1993 the territorial Government purchased the assets of the West Indian Company, which had significant property and development interests in the Charlotte Amalie Harbour,

Noting with concern the escalating crime rate in the Territory,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Reiterates its request to the administering Power to facilitate as appropriate the participation of the Territory in the Organization of Eastern Caribbean States and the Caribbean Community, as well as in various international and regional organizations, in accordance with the policy of the administering Power and the terms of reference of such organizations;

2. Requests the administering Power to assist the territorial Government in its efforts to balance the budget and to diversify the Territory's economy;

3. Invites the administering Power, as a matter of urgency, to facilitate the transfer of Water Island to the territorial Government;

4. Notes the purchase by the territorial Government of the assets of the West Indian Company in the Territory;

5. Requests the administering Power to continue to assist the territorial Government in crime prevention;

6. Notes that a period of seventeen years has elapsed since a United Nations mission visited the Territory and again calls upon the administering Power to facilitate the dispatch of such a mission as early as possible.

83rd plenary meeting
9 December 1994

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/47
9 February 1995

Forty-ninth session
Agenda item 18

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/49/615)]

49/47. Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the question of Tokelau, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Cognizant of the three options on future status for Non-Self-Governing Territories contained in Principle VI of the annex to its resolution 1541 (XV) of 15 December 1960,

Noting with appreciation that for the first time Tokelau came together as one people and nation to speak to the United Nations Visiting Mission, in order to address the question of Tokelau's act of self-determination,

Aware of the special problems facing Tokelau by virtue of its isolation, small size, limited resources and lack of infrastructure,

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1/ A/49/23 (Part VII), chap. X.

Reiterating the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration, which fully applies to Tokelau,

Having examined the report of the United Nations Visiting Mission to Tokelau, 1994, dispatched in July at the invitation of the Government of New Zealand and of the General Fono (Council) of Tokelau, 2/

Having heard the statement of the representative of New Zealand, the administering Power, 3/

Noting with satisfaction the continuing exemplary cooperation of the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

1. Reaffirms the inalienable right of the people of Tokelau to self-determination and independence in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV);

2. Expresses its deep appreciation to the Ulu-o-Tokelau (highest authority of Tokelau), the Elders of Tokelau, the Council of Faipule (joint chairmen of the General Fono), the pulenuku (village mayors) and all other representatives of the people of Tokelau, as well as the administering Power, for the courtesies, cooperation and assistance extended to the United Nations Visiting Mission to Tokelau;

3. Takes note of the solemn declaration read by the Ulu-o-Tokelau, on behalf of the people and their leadership, indicating a strong preference for a future status of free association with New Zealand;

4. Notes that the people of Tokelau, through the General Fono, the Council of Faipule and other institutions, expressed their readiness to assume full governmental responsibility and to conduct their own affairs within the framework of a constitution which is currently being drafted;

5. Also notes the determination of the people of Tokelau to exercise their right to self-determination following the establishment and effective functioning of all branches of government in accordance with their own constitution;

6. Welcomes the assurances of the Government of New Zealand to meet its obligation to the United Nations with respect to Tokelau and to abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

7. Approves the report of the United Nations Visiting Mission to Tokelau, 1994;

2/ A/AC.109/2009.

3/ A/C.4/49/SR.5.

8. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its fiftieth session.

83rd plenary meeting
9 December 1994

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/48
17 February 1995

Forty-ninth session
Agenda item 134

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/49/735)]

49/48. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986, 43/161 of 9 December 1988, 45/38 of 28 November 1990 and 47/30 of 25 November 1992,

Having considered the report of the Secretary-General 1/ on the status of the Protocols 2/ Additional to the Geneva Conventions of 1949 3/ and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

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1/ A/49/255 and Add.1 and Corr.1.

2/ United Nations, Treaty Series, vol. 1125, Nos. 17512 and 17513.

3/ Ibid., vol. 75, Nos. 970-973.

Noting with satisfaction that, pursuant to article 90 of Protocol I, the International Fact-Finding Commission has become operational,

Noting the fact that annex I of Protocol I has been revised,

Stressing the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

1. Appreciates the virtually universal acceptance of the Geneva Conventions of 1949 and the increasingly wide acceptance of the two additional Protocols of 1977;

2. Notes, however, the fact that, in comparison with the Geneva Conventions, the number of States parties to the two additional Protocols is still limited;

3. Appeals to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties to the additional Protocols at the earliest possible date;

4. Calls upon all States which are already parties to Protocol I, or those States not parties, on becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol;

5. Takes note of the declaration adopted at the International Conference for the Protection of War Victims, held at Geneva from 30 August to 1 September 1993, 4/ reaffirming the necessity of preventive measures and of making the implementation of international humanitarian law more effective;

6. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a report on the status of the additional Protocols based on information received from Member States;

7. Decides to include in the provisional agenda of its fifty-first session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

84th plenary meeting
9 December 1994

4/ A/48/742, annex.